

## **REMARKS**

Claims 1, 2, 4-6, 8, 9, 11-19 and 21-23 are pending rejected by the Examiner. The Applicant has amended claims 1, 8, and 15. No new matter has been entered.

### **Rejections Under 35 U.S.C. §103(a)**

The Examiner rejected claims 1-2, 4-6, 8-9, 11-19, and 21-23 under U.S.C. §103(a) as being allegedly unpatentable over Mun, US Pub. No 2003/0022659 A1 (hereinafter, “Mun”) in view of Hwang, US Pub. No 2003/0092432 (hereinafter “Hwang”) as modified by Latter et al. US Patent No.: 6,341,161 (hereinafter “Latter”) and further modified by Lee et al., US Patent Pub No.: 2002/0172338 A1 (hereinafter “Lee”).

The Applicant respectfully submits that the obviousness rejection based on Mun, Hwang, Latter and Lee is improper, as Mun, Hwang, Latter and Lee, alone or in combination, fail to teach, suggest, or render obvious each of the Applicant’s claims. For an obviousness rejection to be proper, the Examiner must meet the burden of establishing a *prima facie* case of obviousness. *In re Fine*, 5 U.S.P.Q.2d 1596, 1598 (Fed. Cir. 1988). The Examiner must meet the burden of establishing that all elements of the invention are taught or suggested in the prior art. MPEP §2143.03.

Claim 1 is directed to a method for selecting enhanced originator information for transmission over a communications network. Claim 1 recites, *inter alia*,

“retrieving a service profile for a recipient terminal from a service profile database in response to initiation of a communication by an originator terminal to the recipient terminal, the service profile retrieved using a recipient terminal address in the communication initiation, the service profile specifying a service plan and a terminal capability of the recipient terminal to retrieve the enhanced originator information from the originator terminal;

processing the service profile to determine types of information elements that the recipient terminal receives to perform an enhanced originator identification of the originator terminal;

selecting multiple information elements associated with the originator terminal by retrieving the multiple information elements from a network database based upon the service plan and the terminal capability of the recipient terminal; and

transmitting a communication including the multiple information elements to the recipient terminal prior to establishing a communications session with the recipient terminal;

wherein the service plan includes options including controlling presentation of the communication on the recipient terminal by screening the multiple information elements in the communication based upon at least one of content or format of the multiple information elements, the screening performed based upon criteria configured by a user of the recipient terminal.”

As recited in claim 1, and as shown throughout Figure 3, the multiple information elements of the communication are derived by retrieving a service profile for a recipient terminal using the recipient terminal’s address (i.e., the address resulting from initiation of the communication), and transmitting the communication and multiple information elements based upon the service plan and terminal capabilities of the recipient terminal.

Mun merely discloses techniques for providing a single info element, namely, a picture, as caller identification (Caller ID). A mobile switching center (MSC) stores picture information for a first mobile station (MS). When the first MS calls a second MS, the MSC transmits the stored picture information of the first MS to the second MS such that this picture information can be displayed as the Caller ID on a display mechanism of the second MS. This functionality is discussed, for example, in paragraph [0008] of Mun.

The Examiner indicates that “Mun does not specifically disclose selecting information elements...by retrieving the information elements from a network database...wherein the information elements include advertising material.” Thus, the Examiner relies upon Hwang in an effort to supply the features missing from Mun. However, neither Mun, Hwang, Latter or Lee disclose or suggest selection of multiple enhanced originator information based upon the service plan and the terminal capability of the recipient terminal as set forth in Applicant’s claim 1. Throughout Mun’s specification and claims, reference is made only to a single picture caller ID

(PCID). No reference is made to a comprehensive originator identification that includes multiple information elements as called for in Applicant's claimed invention. Thus, Mun clearly does not disclose or suggest selection of multiple enhanced originator information based upon the service plan and the terminal capability of the recipient terminal.

Hwang discloses information elements that include advertising material for the purpose of providing caller ID messages in conjunction with advertisements. Refer, for example, to paragraph [0029] of Hwang. However, Hwang fails to disclose or suggest selection of multiple enhanced originator information based upon the service plan and the terminal capability of the recipient terminal as set forth in Applicant's claim 1.

Regarding claim 1, the Examiner states that Mun teaches, "wherein the service plan includes options including controlling presentation of the communication on the recipient terminal by screening the multiple information elements in the communication based upon at least one of content or format of the multiple information elements, the screening performed based upon criteria configured by a user of the recipient terminal," citing paragraphs [0024], [0028], and [0029] in support. However, Mun simply teaches that picture information for a subscriber can be set up and displayed as a caller identification via a registration process (paragraph [0024]). There is not a single reference to any type of call screening that controls the presentation of information elements based upon content or format of the elements, as recited in the Applicant's claim 1. Likewise, Hwang, Latter and Lee are devoid of teaching or suggesting this feature.

Claims 1 has been amended to state *inter alia* "preventing an incoming call, in which a caller has information that has been blocked by the recipient pursuant to the service profile; and

forwarding a call that includes a video file as the information elements to a cellular telephone." Support for this amendment can be found throughout the specification (e.g., para. [0028]. No new matter was entered. The Examiner states that Latter teaches these elements citing the Abstract, and col. 2 lines 25-59. The cited sections of Latter describe a process of blocking calls from people with unknown caller identification information and then recording a caller identification message from the caller and then sending the "audible caller identification information" to the recipient ("system for providing a called party with audible caller identification

information when standard caller identification information cannot be provided. In one embodiment, calls for which standard caller identification information is blocked, unavailable or incomplete are prevented from being connected to the called party,” col. 2, lines 28-34). Latter teaches blocking calls that are “blocked, unavailable or incomplete.” Neither Latter nor any of the other references, either alone or combination, teaches, suggests, or renders obvious “preventing an incoming call, in which a caller has information that has been blocked by the recipient pursuant to the service profile.” In addition, the Examiner did not discuss, and none of the references teaches or suggests, “forwarding a call that includes a video file as the information elements to a cellular telephone.”

For at least the foregoing reasons, the Applicant’s claimed invention as set forth in independent claim 1 is patentable over Mun, Hwang, Latter and Lee. It is further submitted that claim 1 is allowable over the prior art of record. Claims 2, 4-7, and 21 depend from what should be an allowable base claim.

Claim 8 is directed to a storage medium for selecting enhanced originator information for transmission over a communications network. Claim 8 recites, *inter alia*,

“retrieving a service profile for a recipient terminal from a service profile database in response to initiation of a communication by an originator terminal to the recipient terminal, the service profile retrieved using a recipient terminal address in the communication initiation, the service profile specifying a service plan and a terminal capability of the recipient terminal to retrieve the enhanced originator information from the originator terminal;

processing the service profile to determine types of information elements that the recipient terminal receives to perform an enhanced originator identification of the originator terminal;

selecting multiple information elements associated with the originator terminal by retrieving the multiple information elements from a network database based upon the service plan and the terminal capability of the recipient terminal; and

transmitting a communication including the multiple information elements to the recipient

terminal prior to establishing a communications session with the recipient terminal;

wherein the service plan includes options including controlling presentation of the communication on the recipient terminal by screening the multiple information elements in the communication based upon at least one of content or format of the multiple information elements, the screening performed based upon criteria configured by a user of the recipient terminal.”

As indicated above with respect to claim 1, these features are not taught by, nor rendered obvious in view of, the cited references, alone or in combination. For at least this reason, claim 8 is patentable over the cited references and is in condition for allowance.

Claim 15 is directed to a system for selecting enhanced originator information for transmission over a communications network. Claim 15 recites, *inter alia*,

“retrieving a service profile for a recipient terminal from a service profile database in response to initiation of a communication by an originator terminal to the recipient terminal, the service profile retrieved using a recipient terminal address in the communication initiation, the service profile specifying a service plan and a terminal capability of the recipient terminal to retrieve the enhanced originator information from the originator terminal;

processing the service profile to determine types of information elements that the recipient terminal receives to perform an enhanced originator identification of the originator terminal;

selecting multiple information elements associated with the originator terminal by retrieving the multiple information elements from a network database based upon the service plan and the terminal capability of the recipient terminal; and

transmitting a communication including the multiple information elements to the recipient terminal prior to establishing a communications session with the recipient terminal;

wherein the service plan includes options including controlling presentation of the communication on the recipient terminal by screening the multiple information elements in the communication based upon at least one of content or format of the multiple information elements,

the screening performed based upon criteria configured by a user of the recipient terminal.”

As indicated above with respect to claim 1, these features are not taught by, nor rendered obvious in view of, the cited references, alone or in combination. For at least this reason, claim 15 is patentable over the cited references and is in condition for allowance.

Claims 9, 11-14, and 22 depend from what should be an allowable base claim 8. Claims 16, 18, 19, and 23 depend from what should be an allowable claim 15. For at least these reasons, the Applicant submits that claims 2, 4-7, 9, 11-14, 16, 18, 19, and 21-23 are in condition for allowance. Accordingly, the Applicant respectfully requests reconsideration and withdrawal of all rejections under 35 U.S.C. §103(a), which the Applicant considers to be traversed.

**CONCLUSION**

It is believed that the foregoing amendments and remarks fully comply with the Office Action and that the claims herein are allowable. Accordingly, reconsideration and allowance is requested.

If there are any additional charges with respect to this Amendment or otherwise, please charge them to Deposit Account No. 06-1130.

Respectfully submitted,

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